

STATE OF NEVADA

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SANDRA MASTERS, Board Member



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*Commissioner*

MARISU ROMUALDEZ ABELLAR  
*Executive Assistant*

DEPARTMENT OF BUSINESS AND INDUSTRY  
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD**

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April 12, 2016

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT  
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A meeting of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, April 12, 2016, at the hour of 8:00 a.m. at the Local Government Employee-Management Relations Board, 2501 E. Sahara Avenue, Room 203, Las Vegas, Nevada 89104.

The following Board members were present:

Philip E. Larson, Chairman  
Brent C. Eckersley, Esq., Vice-Chairman  
Sandra Masters, Board Member

Also present:

Bruce K. Snyder, Commissioner  
Marisu Romualdez Abellar, Board Secretary  
Rob Werbicky, Attorney General's Office  
Javier Pacheco, Intern

Members of the Public Present:

None

**PRELIMINARY MATTERS**

**1. Call to Order**

The Board meeting was called to order by Philip E. Larson, Chairman, on Tuesday, April 12, 2016 at 8:00 a.m.

**2. Public Comment**

No public comment was offered.

**3. Approval of the Minutes**

The Board approved the minutes as presented for the Board meeting held March 2-3, 2016.

<b>CASES</b>
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**STIPULATION CALENDAR**

4. **Case A1-046140**  
**Sazer and Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department**  
Upon motion, the Board approved the Stipulation to Dismiss with Prejudice, as presented, with each side responsible for its own fees and costs.
5. **Case 2015-010**  
**Henderson Police Supervisors Association v. City of Henderson**  
Upon motion, the Board approved the Stipulation to Dismiss with Prejudice, as presented, with each side responsible for its own fees and costs.
6. **Case 2015-014**  
**Backman and Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department**  
Upon motion, the Board approved the Stipulation to Dismiss with Prejudice, as presented, with each side responsible for its own fees and costs.

**CALENDAR FOR MISCELLANEOUS MATTERS RELATED TO CASES**

7. **Case 2015-001**  
**Bramby Tollen v. Clark County Association of School Administrators and Profession-Technical Employees**  
Upon motion, the Board found for the union, holding that a union's duty of fair representation ceases when an employee voluntarily resigns his/her employment. The Board further held that notwithstanding this, the Complainant had not proved that her union violated its duty of fair representation in that its actions were not arbitrary, discriminatory or in bad faith. Upon a separate motion, the Board agreed that each party was to be responsible for its own fees and costs.
8. **Case 2015-031**  
**Police Officers Association of the Clark County School District v. Clark County School District**  
The Board deliberated on the matter, which had a hearing previously held, but came to no decision on the matter.
9. **Cases in the Queue for Future Hearing or Settlement Conference**  
The Board agreed to hear the following case and directed the Commissioner to set it for hearing: 2015-020, International Union of Elevator Constructors, Local 18 v. Clark County.

The Board agreed to order that the following case be sent for a settlement conference: 2015-028, Ricardo Bonvicin & Kumiko-Katie Moore v. City of North Las Vegas.

The Board took no action on any of the other cases in the queue.

## GENERAL AGENCY MATTERS

### 10. Schedule of Future Board Meetings

The Board reviewed the proposed schedule and made changes to the following for 2016:

Dates	Location	Hearings on Cases
May 10, 11, & 12, 2016	Las Vegas	2015-020
June 14, 15, & 16, 2016	Las Vegas	Not yet assigned
July 12, 13, & 14, 2016	Reno	Not yet assigned
August 16, 17, & 18, 2016	Undetermined	Not yet assigned
September 13, 14, & 15, 2016	Undetermined	Not yet assigned
October 4, 5, & 6, 2016	Undetermined	Not yet assigned
November 8, 9, & 10, 2016	Las Vegas	Not yet assigned
December 13, 14, & 15, 2016	Las Vegas	Not yet assigned

### 11. Report of the Deputy Attorney General

Deputy Attorney General Werbicky reported on the various matters pending in court. With respect to the Petition for Judicial Review on the SEIU, Local 1107 v. Clark County case, he stated that the District Court did not rule on the Board's application for a mandatory injunction. However, it did expedite the matter and a hearing on the Petition for Judicial Review and all motions will be held on April 15<sup>th</sup>. The second matter of note concerns the ESEA/Teamsters 14 election case, also on a Petition for Judicial Review. Werbicky reported that oral argument will be held on the matter on April 20<sup>th</sup> and that a decision is expected then or shortly thereafter.

### 12. Reports by the Commissioner

#### A. Report on Cases Currently Outstanding.

Commissioner Snyder briefly discussed the contents of the log.

#### B. Review of the Meeting of the Sunset Subcommittee.

Commissioner Snyder stated that the appearance before the subcommittee seemed to go well and that there appeared to be no questions about the elimination of the agency. He further stated that the proposal to increase the size of the Board was discussed and that this generated several positive or inquiring questions. He further stated that the next meeting of the subcommittee will be on Thursday, April 21<sup>st</sup>, at which time the subcommittee should be making its decision on the EMRB and that he is planning on attending in case any questions should be asked.

C. Presentation on Electronic Digest of Decisions.

Commissioner Snyder briefly mentioned the work done on the product which was issued last Friday. He stated that Javier Pacheco would be available later for a demonstration of the product.

D. Report on Upcoming Fact Finding Panel.

Commissioner Snyder gave an overview of the state law on fact finding panels, their purpose and the problems the agency has faced these past couple months getting the panel organized and funded. The current panel will be meeting on April 26<sup>th</sup> and 27<sup>th</sup> at the request of the International Union of Elevator Constructors, Local 18, who is at impasse with Clark County. He further mentioned that the purpose of a fact finding panel is to determine whether the upcoming fact finding (i.e., arbitration) between the two parties is to be binding.

**13. Item Requested by Chairman Larson**

Chairman Larson placed this item on the agenda to discuss the advantages and disadvantages of holding Board meetings via video conference. He stated that he believed it was difficult to conduct a hearing via video conference and that seemed to be the consensus. Commissioner Snyder mentioned that some of this was due to having a fixed camera and the lack of a number of microphones, which resulted in people having to share microphones and lean in to be seen on camera.

**14. Items for Future Agendas**

No items were mentioned for inclusion on a future agenda.

<b>CLOSING MATTERS</b>
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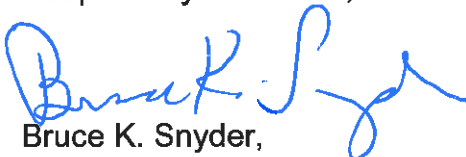
**15. Comments by Board Members**

Chairman Larson mentioned that he would be amenable to having Board members take turns in conducting hearings in the future and that perhaps this could be discussed more at upcoming meetings.

**16. Additional Period of Public Comment**

No public comment was offered.

Respectfully submitted,

  
Bruce K. Snyder,  
EMRB Commissioner